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Federal Communications Commission
Office of the Secretary

Via Hand

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

*Re: Request for Extension of Waiver of DTV Replication/Maximization Deadline
KFXB-DT, Dubuque, IA
Facility Id. 17625
MB Docket 03-15*

Dear Ms. Dortch:


On behalf of Christian Television Network of Iowa, Inc. ("CTN"), the licensee of KFXB-TV and permittee of construction permit BPCDT-19991028ACY for KFXB-DT, we hereby request an extension to the November 18, 2007 DTV Replication/Maximization Deadline set by the Commission on May 18, 2007.¹ In support of this request CTN states as follows:

In June 2006, pursuant to the Public Notice released June 14, 2006 (DA 06-1255), CTN filed a request for waiver of the July 1, 2006 "use or lose" deadline. The waiver request advised the Commission that CTN had worked diligently to meet the July 1, 2006 deadline.² The full power transmitter was already installed and operational and the new DTV antenna and transmission line had been ordered with delivery expected shortly.³ CTN also advised the Commission that it had consulted a structural engineer to request a study to ensure that the added

¹ See Order, ¶ 25, Appendix A, *In the Matter of DTV Build-Out Requests for Waiver of July 1, 2005 and July 1, 2006 "Use or Lose" Deadlines*, FCC 07-90, rel. May 18, 2007 ("May 18, 2007 Order").

² CTN is a non-profit corporation. The Board of CTN serves as the Board of other non-profit corporate entities that own eight (8) full power television stations – WCLF, Clearwater, FL; WHBR, Pensacola, FL; WHTN, Murfreesboro, TN; WRXY, Tice, FL; WFGC, West Palm Beach, FL; WVLR, Tazewell, TN; WGNM, Macon, GA; and the just acquired WTJR, Quincy, IL. Seven of the eight co-controlled stations (not WTJR) were in full compliance with the July 1 deadline. A waiver was granted for WTJR until February 17, 2009.

³ The antenna and transmission line have since been delivered and are in storage.

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digital antenna would not exceed the tower's wind load or structural limitations. At the time of the consultation, the engineer did a quick review and gave CTN assurances that tower strengthening would likely not be necessary. In early June however, CTN received a formal report from the structural engineer and learned, for the first time, that tower strengthening would be necessary. CTN immediately sought to secure a tower crew to perform the strengthening work.

At the time the waiver request was filed, CTN believed that it would take approximately two (2) months for the tower reinforcement work to be completed, so that the DTV antenna to be installed and a license to cover could be filed. Until very recently, CTN believed that it would have no problem fully constructing KFXB's DTV facility prior to the November 18, 2007 date set forth in the Commission's May 18, 2007 Order. However, that belief has now changed.

Before the tower crew could begin to strengthen the tower and install the antenna, CTN needed to obtain the approval of the tower owner for the tower strengthening plan. After significant discussions, the tower owner will not agree to any tower modifications unless additional modifications are made as well. The cost of these additional modifications would likely exceed \$500,000 and pose an impossible financial hardship to CTN. In addition, even if CTN could agree to make the tower modifications requested by the tower owner, and even if the design, material fabrication, and tower work commenced immediately, it is unlikely that the project could be completed prior to the end of the year, let by November 18, 2007.

When KFXB's analog antenna and transmission line are removed from the tower at the end of the DTV transition, CTN will be able to install the digital antenna with no tower modifications required.

CTN has spent years and hundreds of thousands of dollars trying, in good faith, to construct KFXB's digital facility in accordance with the CP and FCC guidelines. As it is simply not physically or economically possible for CTN to build this facility by the November 18, 2007 deadline, CTN seeks to further extend the "use or lose" deadline. Because the tower strengthening issues will all be resolved and CTN will be able to install the digital antenna when the analog antenna is removed from the tower, CTN seeks to extend the "use or lose" deadline for KFXB-DT through February 17, 2009.

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Thank you for your consideration. If you have any questions or comments, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mark A. Balkin".

Mark A. Balkin

MAB:faz

cc Shaun Maher, Media Bureau (via email)
Bob D'Andrea
Chris Mavros